

Section 4427. ~~Retained in Employment with a~~ Temporary Agency.

- (a) The Panel may fund training for employees of a “temporary training services agency” or “leasing agency” within the meaning of Unemployment Insurance Code Section 606.5 (Agency), only as set forth herein. ~~Temporary employment Agencies~~ employ both permanent and temporary workers. The permanent worker performs administrative duties ~~for the agency~~, usually on the Agency’s premises (Permanent Worker). The temporary worker provides services ~~to clients of the agency~~ ranging from clerical to professional, usually on the premises of the Agency’s client (Temporary Worker).
- (b) Employment retention for purposes of a Panel contract will be permitted with ~~temporary employment Agencies~~ only in the following circumstances:
- (1) As ~~P~~permanent ~~W~~workers of ~~temporary employment agencies being retrained~~, as long as the business meets all other funding requirement criteria under a single employer contract, if the Agency is otherwise eligible.
- (2) ~~As Temporary Workers under a Multiple Employer Contract, New hire trainees, under a contract with a consortium/training agency may be retained in employment with temporary employment agencies as temporary workers with the following limitations:~~
- (A) These placements shall be only on an incidental basis; meaning Incidental placements are placements of new hire trainees as temporary workers with temporary agencies that were not originally planned when the contract was approved and which are no more than 10 percent of the total actual number of new hires trainee population placed into employment under the contract; and
- (B) ~~These placements are not the intent of the project from inception, meaning temporary employment agencies are not acceptable as core group employers in the contract to substantiate employer demand; and~~
- (~~C-B~~) These placements must be for complete a retention period of 180 consecutive days with the same ~~temporary Agency before payment is considered earned.~~
- (c) On a case-by-case basis, Temporary Workers may be trained so long as they are hired by a single employer under a single-employer contract, or by a participating employer under a multiple-employer contract, for purposes of full-time retention and related requirements. The Panel may approve this type of “temporary to permanent” hiring model based on the extent to which the training is designed to further overall goals and objectives of the ETP program.

Note: Authority cited: Section 10205 (~~+~~m), Unemployment Insurance Code.

Reference: Section 10201 (~~g-b~~), Unemployment Insurance Code.